

City of Lafayette
Public Meeting Agenda
Redevelopment Agency Special Meeting

Monday, July 28, 2008 **5:45 pm**
Lafayette Community Center – Manzanita Room
500 St. Mary's Road, Lafayette, California

1. CALL TO ORDER
2. ROLL CALL
3. ADOPTION OF AGENDA
4. PUBLIC COMMENTS
5. STAFF REPORTS

A. **Ann Merideth, Community Development Director**

1. **Approval of the two public art proposals recommended by the Library Public Art Committee for the Outdoor Plaza Corridor and Children's Activity Deck**

Recommendation: Approve the two public art proposals and authorize the Executive Director to enter contracts with the artists.

2. **Authorization to hire Rosenow Spevacek Group, Inc. for amendments to the Lafayette Redevelopment Plan**

Recommendation: Direct Executive Director to execute agreement with Rosenow Spevacek Group, Inc.

B. **Tony Coe, Engineering Services Manager**

Amendment of Technology Budget for Library Service

Recommendation: 1. Authorize the purchase of technology equipment as recommended and allocate \$383,100 from the RDA budget to fully fund this purchase. 2. Approve reimbursement agreement with County Library for the purchase of technology equipment.

6. ADJOURNMENT

I, Joanne Robbins, declare under penalty of perjury that this agenda has been posted at least 72 hours in advance at the Lafayette City Offices, 3675 Mt. Diablo Blvd., Suite 210, Lafayette, CA.

* Any writings or documents pertaining to an **open session** item provided to a majority of the City Council less than 72 hours prior to the meeting, shall be made available for public inspection at the front counter at City Hall located at 3675 Mt. Diablo Blvd., Suite 210, Lafayette, CA. during normal business hours.

City of Lafayette
Public Meeting Agenda
City Council Special Meeting

Monday, July 28, 2008 **6:30 pm**
Lafayette Community Center
500 St. Mary's Road, Lafayette, California

1. CALL TO ORDER
2. ROLL CALL
3. ADOPTION OF AGENDA
4. PUBLIC COMMENTS
5. PRESENTATION

***The City Council Invites You to Join Us In Celebrating
Lafayette's 40th Birthday***

6. ADJOURNMENT

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City of Lafayette
Public Meeting Agenda
City Council Regular Meeting

Monday, July 28, 2008 7:30 pm
Lafayette Community Center – Manzanita Room
500 St. Mary's Road, Lafayette, California

1. CALL TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. ADOPTION OF AGENDA
5. PUBLIC COMMENTS
6. PRESENTATIONS
7. OLD BUSINESS
 - A. **Steven Falk, City Manager**
Resolution 2008-37 Giving Notice of a General Tax Measure Election on November 4, 2008, Introduce Ordinance 581 Adding Chapter 7 Title 9 of the Lafayette Municipal Code Establishing a Transactions and Use Tax, Resolution 2008-38 Requesting Contra Costa County Consolidate a Municipal General Tax Measure Election on November 4, 2008
Recommendation: Consider adoption of Resolution 2008-37, introduction of Ordinance 581 and adoption of Resolution 2008-38.
8. STAFF REPORTS
 - A. **Niroop Srivatsa, Planning & Building Services Manager**
Review of the transportation section of the Moraga Specific Plan's draft Environmental Impact Report
Recommendation: Authorize the Mayor to forward the City's consultants' comments to the Town of Moraga.
 - B. **Tony Coe, Engineering Services Manager**
Introducing Ordinance 577 amending Section 8-8122 of Chapter 8-8 of the Lafayette Municipal Code to permit active and expeditious loading, unloading and delivery or pick up of property in any place marked as a loading zone.
Recommendation: Continue without consideration to August 11, 2008.
9. PUBLIC HEARINGS
 - A. **Greg Wolff, Senior Planner**
GP01-05 / RZ01-05 BRUCE TORQUEMADA, LAFAYETTE PROPERTIES, (APPLICANT & OWNER), R-15 ZONING: Lafayette Park Terrace – Proposed 20 Unit Condominium Project at 3235 Mt. Diablo Court, a 2-acre site at the terminus of Mt. Diablo Court. APNs: 233-131-020 & 022
Recommendation: 1) Continued review of project plans, take testimony from the applicant and public; 2) Introduce Ordinance 580 and continue to August 11, 2008 for second reading of Ordinance and adoption of the Mitigated Negative Declaration and approve Project subject to conditions.
 - B. **Christine Sinnette, Senior Planner**
MS504-87CCII – ROBIN AND KRIS LEAMY (APPLICANTS & OWNERS), R-40 ZONING: Request for a minor subdivision to divide 19.23 acres into three lots for residential

development pursuant to Chapter 6-20 and Chapter 6-30 of the Lafayette Municipal Code (LMC), located at 4123 Happy Valley Road, APN 247-010-019 and 020 ("Project"). City Council review and consideration of a supplement to an environmental impact report, the Project, and conditions of approval.

Recommendation: 1) Conduct public hearing; 2) Consider supplement to an environmental impact report, the Project, and conditions of approval; 3) Continue to the meeting of August 11, 2008.

C. Niroop Srivatsa, Planning & Building Services Manager

1. **GP01-06/RZ01-06CC: KO ARCHITECTS (APPLICANT) THE WOODBURY, LLC (OWNER), P1 ZONING:** Request for approval to amend the conditions of approval to allow the Developer to pay the City's impact fees prior to the issuance of the certificate of occupancy rather than prior to the issuance of a building permit. Request for approval of an exception to Section 1-624 (b) of the Lafayette Municipal Code

Recommendation: Approve the applicant's request to pay the City's impact fees prior to the issuance of the certificate of occupancy rather than prior to the issuance of a building permit.

2. **GP01-08: Resolution 2008-36 Amendments to sections of the Parks, Trails and Recreation Chapter of the Lafayette General Plan**

Recommendation: Adopt Resolution 2008-36 approving amendments to the Parks, Trails and Recreation Chapter of the 2002 Lafayette General Plan.

10. CONSENT CALENDAR

- A. **Ordinance 575 and Resolution 2008-28 Updating Existing Regulations Regarding Dedication of Land and Payment of Fees for Park and Recreation Purposes and Park Facilities**

Recommendation: Waive second reading of Ordinance 575 and Resolution 2008-28 and adopt.

- B. **Agreement for Installation and Maintenance of Existing and New Landscaping between Karel & Anne Fisher and the City of Lafayette, for property located at 363 Read Drive. APN 237-510-001**

Recommendation: Accept agreement and authorize the City Clerk to record.

- C. **Agreement for Installation and Maintenance of Existing and New Landscaping between Brad Agler and the City of Lafayette, for property located at 4020 Tilden Lane. APN 249-010-038**

Recommendation: Accept agreement and authorize the City Clerk to record.

- D. **EBMUD Reimbursement Agreement for the Mount Diablo Boulevard Pathway from the Lafayette Reservoir to Village Center.**

Recommendation: Authorize staff to enter into a reimbursement agreement with EBMUD.

- E. **Agreement for Payment of the Lamorinda Transportation Development Mitigation Fee between Contra Costa Jewish Day School and the City of Lafayette, located at 3800 Mt. Diablo Boulevard. APN 241-010-046.**

Recommendation: Accept agreement.

- F. **Code Enforcement Activity Report**

Recommendation: Receive and file.

11. COUNCIL/COMMISSION REPORTS

- A. Councilmember report on activities and consideration of matters a councilmember wishes to initiate for placement on a future agenda.

12. WRITTEN COMMUNICATIONS

- A. **E-mail from Gint Federas, County Meet Director for the Contra Costa County Swim Championships, requesting a proclamation recognizing the 48th Annual Contra Costa County Championship Swim Meet being held in Lafayette August 16-17, 2008.**

Recommendation: Discuss and direct staff.

13. CLOSED SESSION

- A. **Mala Subramanian, City Attorney**
Conference With Legal Counsel - Existing Litigation
(Government Code section 54956.9(a).)
David R. Bruzzone, et al. v. City of Lafayette, et al.
Contra Costa County Superior Court Case No. C02 02145
Recommendation: Discuss and direct legal counsel.

- B. **Public Employee Performance Evaluation (Gov. Code section 54957)**
Title: City Manager

14. ADJOURNMENT to the next regularly scheduled meeting on Monday, August 11, 2008.

I, Joanne Robbins, declare under penalty of perjury that this agenda has been posted at least 72 hours in advance at the Lafayette City Offices, 3675 Mt. Diablo Blvd., Suite 210, Lafayette, CA.

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City of Lafayette

General Information for Public Meetings

Location of Agendas and Agenda Packets: Agenda and packets are available for review by the public during regular work hours at the Lafayette City Offices, 3675 Mt. Diablo Blvd., Suite 210. Agendas and packets shall be made available at least 72 hours in advance of each meeting. Agendas and staff reports are also available on the city website www.ci.lafayette.ca.us.

Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132). Any person with a disability who requires a modification or accommodation in order to participate in a meeting should direct such request to Joanne Robbins, City Clerk at (925) 299-3210 at least 48 hours before the meeting, if possible.

Board Discussion: In accordance with State Law, the Board is generally prohibited from discussing and making decisions regarding items not posted on the agenda. Exceptions include items of urgency that become known to the Board after the posting of the agenda; discussion of such items requires a 4/5ths affirmative vote by the Board.

Persons Wishing to Speak: Any person may address the Board on any item listed on this agenda. Persons wishing to address the Board should complete a speaker slip and submit it to the City staff. In addressing the Board, speakers should step to the podium and state their names and addresses for the record.

Public Comments on Agenda Items: Persons wishing to speak on items listed on the agenda will be heard when called by the meeting chair. After the public has commented, the item will be closed to public comment and brought to the Board for discussion and action. There is no further comment permitted from the audience unless invited by the meeting chair.

Public Comments on Non-Agenda Items: Persons wishing to speak on matters not posted on this agenda are encouraged to submit the matter in writing to the City Clerk or staff aide at least ten days prior to the next regularly scheduled Board meeting date. Persons unable to do this may address the Board under the PUBLIC COMMENTS section of this agenda. Note, however, that such matters may be referred to staff for action or posted on a future agenda.

Time Limit on Comments: Persons will be permitted to speak for up to three minutes.

Posted Times: Posted times are estimated and actual times will vary. Public hearings may start later but never earlier than the posted time.

Reconsideration of Items: After the Board has acted on an agenda item, it may reconsider the same item later in the meeting in accordance with Council Rules of Proceedings II.D.4 in Resolution 17-95.

Consent Calendar: All matters listed under consent calendar are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items unless requested by a member of the Board or a member of the public prior to the time that the Board votes on the motion to adopt.

Notice Requirements: Lafayette Municipal Code Section 6-211 requires that the City provide public notice of the first public hearing for any meeting that requires public notice. If there are additional meetings, they are **not re-noticed**. Be advised that it is the responsibility of any interested party to follow the continuance date or dates, as well as to be apprised of whether project revisions have been submitted.

¹ "Board" is used here as a generic term for the City Council, commissions, committees, task forces, and other public decision-making boards.